

REMARKS

Claims 2-11 are pending in this application. Claims 2-4 stand rejected. Applicant wishes to thank the Examiner for the indication of allowance of claims 5-11. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 2-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,689,813 ("Seki") in view of U.S. Patent No. 6,687,515 ("Kosaka"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or combine references to arrive at the claimed subject matter. The prior art references must also teach or suggest all the limitations of the claim in question. See, M.P.E.P. § 706.02(j). A reference can only be used for what it clearly discloses or suggests. See, *In re Hummer*, 113 U.S.P.Q. 66 (C.C.P.A. 1957); *In re Stencel*, 4 U.S.P.Q.2d 1071, 1073 (Fed. Cir. 1987). Here, the references, whether taken individually or in combination, do not disclose or suggest the invention claimed by the Applicant.

Among the limitations of independent claim 2 not present in the cited references are reception electric field intensity image transmission means and reception electric field intensity transmission setting means for setting whether or not the reception electric field intensity image should be transmitted.

As recited in independent claim 2, an image representative of the detected reception electric field intensity is transmitted via the reception electric field intensity image transmission means when the setting means to set to transmit the image.

In contrast, in the cited combination, there is no disclosure of an image representative of a detected electric field intensity nor are there setting means for setting whether or not the reception electric field intensity should be transmitted. The Office Action asserts that Seki teaches this limitation at column 4, line 58 through column 5, line 47. Applicant respectfully disagrees. The cited portion of Seki relates to the calculation of the field intensity by CPU 1043 as well as what each of the four intensity level signals E1 - E4 represent. However, at no time is a decision made whether or not to transmit an image representative of the field intensity. Further, there is no way to set whether or not an image representative of the field intensity is transmitted. In Seki, the intensity levels are used to determine whether or not transmission can take place. There is no disclosure in Seki of transmitting the field strength or an image representative of the field strength.

Kosaka was included not to cure the deficiency but merely for its teaching of transmitting an image. However, there is no teaching in either of the references of setting means to determine whether or not an image representative of an electric field intensity should be transmitted.

Claims 3 and 4 depend either directly or indirectly from, and contain all the limitations of claim 2. These dependent claims also recite additional limitations which, in combination with the limitations of claim 2, are neither disclosed nor suggested by Seki or Kosaka and are also believed to be directed towards the patentable subject matter. Thus, claims 3 and 4 should also be allowed.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: December 6, 2005

Respectfully submitted,

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